



AP/lfw

## AMENDMENT TRANSMITTAL LETTER

**After Final Rejection**

Application No.  
10/672,327

Filing Date  
September 26, 2003

Examiner  
B. E. Snow

Group Art Unit  
3738

Applicant(s): Lance Middleton

Docket No.  
SPINE 3.0-2144 DIV II

Invention: ARTIFICIAL INTERVERTEBRAL DISC

### TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

#### CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	20	- 21 =		x	
Independent Claims	4	- 4 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00

Large Entity

Small Entity

No additional fee is required for this amendment.

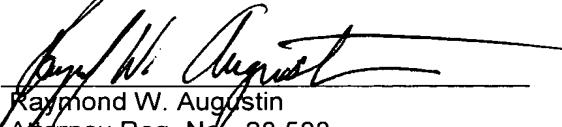
Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.

A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed.

Credit any overpayment.

Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

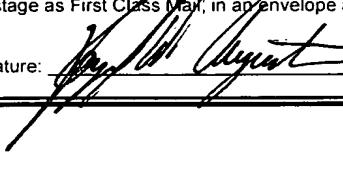
  
Raymond W. Augustin  
Attorney Reg. No. 28,588

Dated: May 16, 2006

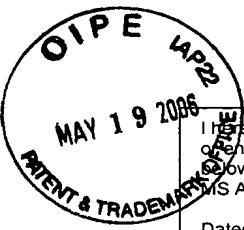
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, New Jersey 07090  
(908) 518-6318

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

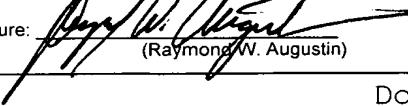
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(Raymond W. Augustin)



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Dated: May 16, 2006 Signature: 

(Raymond W. Augustin)

**EXPEDITED PROCEDURE**

Group Art Unit: 3738

Docket No.: SPINE 3.0-2144 DIV II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	:
Lance Middleton	:
Application No.: 10/672,327	: Group Art Unit: 3738
Filed: September 26, 2003	: Examiner: B. E. Snow
For: ARTIFICIAL INTERVERTEBRAL DISC	:

**AMENDMENT UNDER 37 CFR 1.116**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated March 9, 2006, finally rejecting claims 1-16 and 18-21, please amend the above-identified U.S. patent application as follows: